

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

JOE HAND PROMOTIONS, INC.,

Plaintiff,

vs.

**JUSTIN SHANK, and JWS Investments,
LLC, d/b/a Jake's Sports Bar & Grill,**

Defendants.

8:22CV243

ORDER

This matter comes before the Court after review of the docket pursuant to the General Order reassigning this case to the undersigned magistrate judge on April 11, 2024. (Filing No. 24).

Plaintiff commenced this action on July 5, 2022. ([Filing No. 1](#)). Plaintiff owns the exclusive commercial distribution rights to the UFC 239: Jones vs. Santos broadcast, telecast on July 6, 2019. Plaintiff alleges Defendants willfully exhibited the broadcast at their establishment, Jake's Sports Bar & Grill, in violation of 47 U.S.C. § 605, et seq., and alternatively 47 U.S.C. § 553, et seq. Defendant Justin Shank filed an answer to the Complaint on September 2, 2022, but because Mr. Shank is not an attorney, he could not file an answer on behalf of JWS Investments, LLC ("JWS"). ([Filing No. 7](#); Filing No. 8). Because no attorney ever filed an answer on behalf of JWS, the clerk entered default against it on January 4, 2023. ([Filing No. 10](#)).

Aside from Mr. Shank's answer, to date, neither defendant has had any participation nor filed any documents in this case. On November 8, 2023, the Court entered an Order granting Plaintiff's Motion to Compel Initial Disclosures and Responses to Discovery, ordering Mr. Shank to respond to discovery, or else face sanctions. ([Filing No. 20](#)). Plaintiff filed a certificate of service certifying that on November 8, 2023, it mailed a copy of the Order to Mr. Shank at 218 S 8th Street, Blair, NE 68808, and to his personal email address. ([Filing No. 21](#)). The Clerk of Court also mailed a copy of the Order to JWS at 218 S 8th Street, Blair, NE 68808, the location of Jake's Sports Bar & Grill. That mail was returned as undeliverable. ([Filing No. 23](#)). The Court's General Order reassigning this case to the undersigned magistrate judge on April 11, 2024, was also returned as undeliverable. ([Filing No. 25](#)). Upon information and belief, Jake's Sports Bar & Grill

has permanently closed as of October 31, 2023. No further action has been taken in this case since November 2023. Accordingly,

IT IS ORDERED: On or before **June 12, 2024**, Plaintiff shall file a status report regarding its intention to continue to litigate this case, and its efforts to locate the defendants such that they receive proper notice of these proceedings.

Dated this 13th day of May, 2024.

BY THE COURT:

s/Michael D. Nelson
United States Magistrate Judge